

September 4, 2014

Frankie Hampton
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
2014 SEP -9 PM 12:24
OFFICE OF GENERAL
COUNSEL

Re: MUR 6852

Dear Paralegal Hampton:

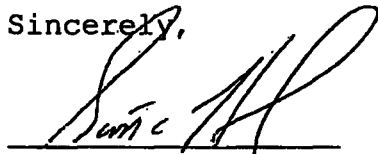
I am writing in response to the Montana Democrats suggesting that Battle Plan Strategies ("BPS") may have violated the Federal Election Campaign act of 1971. I believe that the actions of BPS are in strict compliance with federal law and that the complaint should be dismissed.

BPS is a Sole Proprietorship registered in Saratoga County, New York and I am the only principal of BPS. I have signed the enclosed affidavit in support of this response.

The basis of the Montana Democrats' complaint are payments made by Special Operations for America ("SOFA") to its vendors and an erroneous presumption of coordination based on use of certain vendors. Without exception, each payment and reimbursement received by BPS was for work done specifically for SOFA. BPS is not and never acted on behalf of or as agent of any candidate or candidate committee. All work conducted by BPS was completed exclusively for and at the request of SOFA.

Please understand that BPS, at all times, comports its actions and activities in complete compliance with federal election regulations. For these reasons, I request that the complaint against BPS be dismissed. Please do not hesitate to contact me if you require additional information. Thank you for the opportunity to respond.

Sincerely,


Scott Hommel, Principal
Battle Plan Strategies
732 Malta Avenue Extension
Ballston Spa, NY 10220

Enclosure: Affidavit

1000744620008

AFFIDAVIT OF SCOTT HOMMEL

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STATE OF NEW YORK
COUNTY OF SARATOGA

OFFICE OF GENERAL
COUNSEL

The undersigned, SCOTT HOMMEL, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the State of New York. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.
2. I suffer no legal disabilities and have personal knowledge of the facts set forth herein.
3. I serve as Principal of Battle Plan Strategies ("BPS"), a Sole Proprietorship registered in Saratoga County, New York.
4. At all times, BPS has acted in accordance with federal election laws, rules, and regulations.
5. BPS has never made an expenditure for a communication that was made in cooperation, consultation or concert with, or at the request or suggestion of any candidate, candidate committee, or a respective agent thereof.
6. BPS has never made or authorized an expenditure for purposes of distributing or republishing any campaign material produced or prepared by a candidate's campaign.
7. No communication or work product of BPS has been created, produced, or distributed at the request or suggestion of any candidate, candidate committee, or a respective agent thereof.
8. No candidate or candidate committee has ever been materially involved in decisions regarding the content, intended audience, means or mode of a BPS communication, specific media outlet used, or the timing or frequency or size or prominence of any BPS communication, if any. Moreover, no candidate or candidate committee has ever been involved in BPS decisions whatsoever, including those made during performance of client services.
9. No public communication, if any, or business decision of BPS has been created, produced or distributed after any discussion between BPS or the employees or agents of BPS and any candidate, candidate's committee, candidate's opponent or an opponent's committee, or any agents thereof.
10. BPS has never received any information from a client or an agent of a candidate or candidate committee about any plans or needs of a candidate or a candidate's committee.
11. BPS has never received or used information that was material to the creation, production or distribution of a client communication

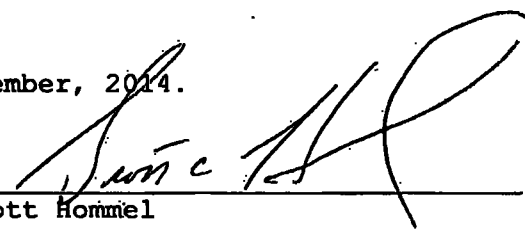
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from a candidate, candidate committee, or a respective agent thereof.

12. BPS does not have any formal or informal agreement or collaborative arrangement with any candidate, candidate committee, or a respective agent thereof.

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 5th day of September, 2014.



Scott Hommel

NOTARY ACKNOWLEDGEMENT

STATE OF NY, COUNTY OF Saratoga, ss:



Notary Public

My commission expires 10-13-17

KRISTYN L. KAMBER
NOTARY PUBLIC IN THE STATE OF NEW YORK
QUALIFIED IN SARATOGA COUNTY. NO. 01KA6212163
MY COMMISSION EXPIRES OCTOBER 13, 2017